

DECLARATION FOR NON-PROVISIONAL PATENT APPLICATION*

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. beneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

SKELETAL RECONSTRUCTION CAGES

and for which a patent application:

☒ was filed in the United States on March 22, 2001 as Application No. 09/814,215

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION			
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
			YES NO
			YES NO
			YES NO

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

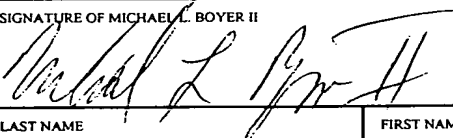
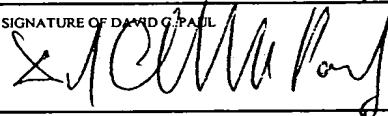

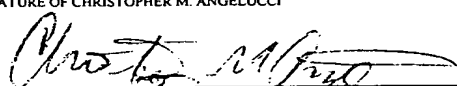
PROVISIONAL APPLICATION NUMBER	FILING DATE
60/191,099	March 22, 2000

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

NON-PROVISIONAL APPLICATION SERIAL NO.	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED

* for use only when the application is assigned to a company, partnership or other organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

201	FULL NAME OF INVENTOR	LAST NAME BOYER II	FIRST NAME Michael	MIDDLE NAME L.
	RESIDENCE & CITIZENSHIP	CITY Paoli	STATE OR FOREIGN COUNTRY PA	COUNTRY OF CITIZENSHIP U.S.A.
	POST OFFICE ADDRESS	STREET 1708 East Lancaster Avenue	CITY Paoli	STATE OR COUNTRY PA
	SIGNATURE OF MICHAEL L. BOYER II 			DATE 5-28-01
202	FULL NAME OF INVENTOR	LAST NAME PAUL	FIRST NAME David	MIDDLE NAME C.
	RESIDENCE & CITIZENSHIP	CITY Phoenixville	STATE OR FOREIGN COUNTRY PA	COUNTRY OF CITIZENSHIP India
	POST OFFICE ADDRESS	STREET 405 Greene Lane	CITY Phoenixville	STATE OR COUNTRY PA
	SIGNATURE OF DAVID C. PAUL 			DATE 6-12-01
203	FULL NAME OF INVENTOR	LAST NAME HIGGINS	FIRST NAME Thomas	MIDDLE NAME B.
	RESIDENCE & CITIZENSHIP	CITY Berwyn	STATE OR FOREIGN COUNTRY PA	COUNTRY OF CITIZENSHIP U.S.A.
	POST OFFICE ADDRESS	STREET 447 Coldstream Drive	CITY Berwyn	STATE OR COUNTRY PA
	SIGNATURE OF THOMAS B. HIGGINS 			DATE 5-25-01
204	FULL NAME OF INVENTOR	LAST NAME ANGELUCCI	FIRST NAME Christopher	MIDDLE NAME M.
	RESIDENCE & CITIZENSHIP	CITY Schwenksville	STATE OR FOREIGN COUNTRY PA	COUNTRY OF CITIZENSHIP U.S.A.
	POST OFFICE ADDRESS	STREET 809 Summit Avenue	CITY Schwenksville	STATE OR COUNTRY PA
	SIGNATURE OF CHRISTOPHER M. ANGELUCCI 			DATE 5-28-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Michael L. Boyer II et al.

Application No.: 09/814,215

Group Art Unit: 3738

Filed: March 22, 2001

Examiner: Unassigned

For: SKELETAL RECONSTRUCTION
CAGES

Attorney Docket No.: 8932-306

**POWER OF ATTORNEY BY ASSIGNEE
AND EXCLUSION OF INVENTOR(S) UNDER 37 C.F.R. 3.71**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned assignee of the entire interest in the above-identified subject application hereby appoints: S. Leslie Misrock (Reg. No. 18872), Berj A. Terzian (Reg. No. 20060), David Weild, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), James N. Palik (Reg. No. 25510), Thomas E. Friebe (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Samuel B. Abrams (Reg. No. 30605), Steven I. Wallach (Reg. No. 35402), Marcia H. Sundeen (Reg. No. 30893), Paul J. Zegger (Reg. No. 33821), Edmond R. Bannon (Reg. No. 32110), Bruce J. Barker (Reg. No. 33291), Adriane M. Antler (Reg. No. 32605), Thomas G. Rowan (Reg. No. 34419), James G. Markey (Reg. No. 31636), Thomas D. Kohler (Reg. No. 32797), Scott D. Stimpson (Reg. No. 33607), Gary S. Williams (Reg. No. 31066), Ann L. Gisolfi (Reg. No. 31956), Todd A. Wagner (Reg. No. 35399), Scott B. Familant (Reg. No. 35514), Kelly D. Talcott (Reg. No. 39582),

POWER OF ATTORNEY

Francis D. Cerrito (Reg. No.38100), Anthony M. Insogna (Reg. No. 35203), Brian M. Rothery (Reg. No. 35340), Brian D. Siff (Reg. No. 35679), Alan Tenenbaum (Reg. No. 34939), Michael J. Lyons (Reg. No. 37,386), Garland T. Stephens (Reg. No. 37,242) and William J. Sipio (Reg. No. 34,514), all of Pennie & Edmonds LLP, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 3300 Hillview Avenue, Palo Alto, CA 94304, all of Pennie & Edmonds LLP (PTO Customer No.), as its attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 C.F.R. 3.71, provided that, if any one of these attorneys ceases being affiliated with the law firm of Pennie & Edmonds LLP as partner, counsel, or employee, then the appointment of that attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

An assignment of the entire interest in the above-identified subject application:

[] was recorded on _____ at reel/frame _/_____.
[X] is submitted herewith for recording.

Please direct all correspondence for this application to customer no. .

ASSIGNEE: Synthes (U.S.A.)
Signature: Jessie B. Hill
Typed Name: Jessie B. Hill, Esq.
Position/Title: Director, Legal Affairs
Address: 1690 Russell Road
Paoli, PA 19301
Date: 25 May 2001

ASSIGNMENT

WHEREAS, WE, Michael L. Boyer II, a citizen of the United States residing at 1708 East Lancaster Avenue, Paoli, Pennsylvania 19301, David C. Paul, a citizen of India residing at 405 Greene Lane, Phoenixville, Pennsylvania 19460, Thomas B. Higgins, a citizen of the United States residing at 447 Coldstream Drive, Berwyn, Pennsylvania 19312, and Christopher M. Angelucci, a citizen of the United States residing at 809 Summit Avenue, Schwenksville, Pennsylvania 19473, ASSIGNORS, are the inventors of the invention in SKELETAL RECONSTRUCTION CAGES for which we have executed an application for a Patent of the United States

- ☒ which is executed on even date herewith
- ☒ which is identified by Pennie & Edmonds LLP docket no. 8932-306
- ☒ which was filed on March 22, 2001, Application No. 09/814,215

and WHEREAS, SYNTHES (USA), ASSIGNEE, a General Partnership existing under the laws of the Commonwealth of Pennsylvania and having a place of business at 1690 Russell Road, Paoli, PA 19301 is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

Date 5-28-01, 2001 Michael L. Boyer II L.S.
Michael L. Boyer II

State of Pennsylvania
County of Chester SS:)

On 5/28, 2001, before me, KATHLEEN B. PAVLIK, Notary Public, personally appeared Michael L. Boyer II, personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal

Kathleen B. Pavlik

Notarial Seal
Kathleen B. Pavlik, Notary Public
Tredyffrin Twp., Chester County
My Commission Expires Apr. 28, 2003

Member, Pennsylvania Association of Notaries

Date 6/12/01, 2001

David C. Paul
David C. Paul

L.S.

State of Penna)

County of Chester SS.:)

On 6/12, 2001, before me, Kathleen B. Pavlik, Notary Public, personally appeared David C. Paul, personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal

Kathleen B. Pavlik

Notarial Seal
Kathleen B. Pavlik, Notary Public
Tredyffrin Twp., Chester County
My Commission Expires Apr. 28, 2003

Member, Pennsylvania Association of Notaries

Date 5-25, 2001

Thomas B. Higgins
Thomas B. Higgins

L.S.

State of Penna)

County of Chester SS.:)

On 5/25, 2001, before me, Kathleen B. Pavlik, Notary Public, personally appeared Thomas B. Higgins, personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal

Kathleen B. Pavlik

Notarial Seal
Kathleen B. Pavlik, Notary Public
Tredyffrin Twp., Chester County
My Commission Expires Apr. 28, 2003

Member, Pennsylvania Association of Notaries

Date 5-28-01, 2001

Christopher M. Angelucci
Christopher M. Angelucci

L.S.

State of Penna)

County of Chester SS.:)

On 5/28, 2001, before me, Kathleen B. Pavlik, Notary Public, personally appeared Christopher M. Angelucci, personally known to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal

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Kathleen B. Pavlik, Notary Public
Tredyffrin Twp., Chester County
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